

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE Dr. JUSTICE G.YETHIRAJULU**

**WRIT PETITION No. 18655 of 2004**

Between:

H. Venkati S/o Ramulu, aged about 35 years,

Occ: Cleaner, R/o 4-68/1, Kunchanpalli, Mandal

& District Medak

**..... PETITIONER**

AND

1 APSRTC, Musheerabad, Hyderabad rep by Managing Director

2 APSRTC, Medak Region Sangareddy Medak District

rep by Regional Manager

3 APSRTC, Bus Depot, Sangareddy Medak District

rep by Depot Manager

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ or direction particularly one in the nature of Writ of Mandamus declaring the in action of the respondents in not regularizing the services of the petitioner on par with his colleagues namely K. Chandhra Shekhar, A. Krishna V. Ashok, R.V. Reddy and A. Chandra Shekhar as illegal, unjust and in violation of Art. 14, 16 & 21 of the Constitution of India and consequently direct the Respondents to regularize the Services of the petitioner w.e.f 05-03-1997 on par with above persons along with all consequential benefits in the interest of justice and fair play.

**Counsel for the Petitioner: MR.V.NARASIMHA GOUD**

**Counsel for the Respondents: MR.V.T.M.PRASAD (S.C.FOR APSRTC)**

**The Court at the stage of admission made the following:**

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**ORDER:**

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The petitioner entered the service of the respondent Corporation as a Cleaner in 1986. He was removed from service through the proceedings dated 09.07.1997 for unauthorized absence. He filed I.D.No.51/98 before the Labour Court-II, Hyderabad and the Labour Court through its Award dated 31.07.2001 directed the 3<sup>rd</sup> respondent to reinstate the petitioner into service without back wages. In pursuance of the said award, the 3<sup>rd</sup> respondent reinstated the petitioner into service on 14.12.2001. He is working under the control of the 3<sup>rd</sup> respondent since then. He used to be paid Rs.63/- per day before removal from service, and the 3<sup>rd</sup> respondent after reinstatement also, resorted to pay Rs.63/- per day. As the wages are revised from time to time by fixing at Rs.79/- from October, 1997 and Rs.114/- with effect from 01.08.2002, he is entitled for the enhanced wages. He further contends that similarly placed employees, who approached this Court along with him through W.P.No.16948 of 1989 and batch, were regularized through the proceedings dated 14.07.1997, and they are being given the scale of pay, provided for the jobs, they are holding. The petitioner, being aggrieved by the inaction on the part of the 3<sup>rd</sup> respondent in not paying the enhanced wages and in not regularizing his service, approached this Court, through this writ petition, seeking a direction to the respondents to regularize his services with effect from 05.03.1997 on par with the similarly placed employees bearing E.Nos.800528, 800529, 800530, 800531 and 800532.

2. The petitioner contends that he submitted a representation to the 2<sup>nd</sup> respondent on 18.02.2003 and another representation on 10.04.2003, but no orders have been passed by the 2<sup>nd</sup> respondent till now.

3. In the light of the above submissions made by the petitioner, the

respondents are directed to examine the case of the petitioner, with reference to the representations made by him on 18.02.2003 and 10.04.2003, and pass appropriate orders, extending the benefits that were given to the similarly placed employees, within 2 (two) months from the date of receipt of a copy of this order.

4. The Writ Petition is, accordingly, disposed of. No order as to costs.

**dsr**

ASSISTANT REGISTRAR

To:

1. The Managing Director, APSRTC,  
Musheerabad, Hyderabad

2. The Regional Manager, APSRTC,  
Medak Region, Sangareddy,  
Medak District

3. The Depot Manager, APSRTC,  
Bus Depot, Sangareddy, Medak District

4. Two CD copies.